

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**TRISTAR INVESTORS, INC.,**

**Plaintiff,**

**V.**

**AMERICAN TOWER CORPORATION,  
et al.,**

## Defendants.

**AMERICAN TOWER, LLC, et al.,**

## Counter-Plaintiffs,

**V.**

**TRISTAR INVESTORS, INC., et al.,**

### Counter-Defendants.

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**CIVIL ACTION NO. 3:12-CV-499-M**

## **STIPULATION OF DISMISSAL OF PLAINTIFF'S COUNT VII**

Pursuant to Federal Rule of Civil Procedure 41, Plaintiff TriStar Investors, Inc. voluntarily dismisses with prejudice Count VII of the Second Amended Complaint, which asserted a cause of action for breach of contract. TriStar and American Tower reached an agreement resolving this claim on January 17, 2014. The parties' agreement does not affect any of the remaining claims or counterclaims asserted by any party. The American Tower Defendants consent to TriStar's dismissal. Each party shall bear their own costs and fees with respect to Count VII.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on January 21, 2014, I electronically filed the foregoing Joint Submission with the Clerk of the Court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the Court. The electronic case filing system sent a “Notice of Electronic Filing” to the attorneys who have consented in writing to accept this notice as service of this document by electronic means.

/s/ Tyler J. Bexley